

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 MARTY SCOTT FITZGERALD,

5 Plaintiff,

6 v.

7 LPN GREG MARTIN, *et al.*,

8 Defendants.  
9

Case No. 3:17-CV-0278-MMD-COB

**ORDER RE FILING DOCUMENTS  
AND STRIKING MOTION FOR  
NEXT FRIEND ASSISTANT**

[ECF No. 110]

10 Since December 21, 2021, Plaintiff, Marty Scott Fitzgerald ("Fitzgerald"), has filed  
11 nine motions. (ECF Nos. 88, 89, 92, 93, 95, 100, 110, 111, 112). Four of these motions  
12 request the appointment of counsel and/or for an inmate to be appointed to assist him in  
13 this litigation. Pursuant to General Order 2021-05, Section 3(f), "[n]o party may file a  
14 motion if he or she has another motion on the same subject matter already pending before  
15 the Court. Motions submitted in violation of this General Order may be struck or may be  
16 summarily denied." Therefore, Fitzgerald's fourth motion on this subject matter, (ECF No.  
17 110), is hereby **STRICKEN**.

18 A hearing is set in this case on February 16, 2022, at which time the Court will  
19 address the various outstanding motions. (ECF No. 101.) Fitzgerald shall not file any  
20 additional motions prior to that hearing. The briefing on the Defendants' motion for  
21 summary judgment is hereby **STAYED** until the hearing at which time the briefing  
22 schedule will be discussed. Defense counsel shall not file any response or opposition to  
23 any currently outstanding motion currently Defendants' have not previously been  
24 responded to or opposed unless directed to do so by the Court.

25 **DATED:** February 2, 2022.

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28 **UNITED STATES MAGISTRATE JUDGE**